

MEMORANDUM ENDORSED ORDER

The request for leave to file a sur-reply of up to 15 double-spaced pages five days before the hearing date is approved. The Court encourages succinctness and the sur-reply should address only positions advanced in the Trustee's reply that require a further response.

So ordered.

Dated: 7/29/24 s/DSJ, USBJ

Weil, Gotshal & Manges LLP

767 Fifth Avenue
New York, NY 10153-0119
+1 212 310 8000 tel
+1 212 310 8007 fax

Ronit Berkovich
+1 (212) 310-8534
ronit.berkovich@weil.com

July 19, 2024

The Honorable David S. Jones
United States Bankruptcy Court for the Southern District of New York One
Bowling Green, Courtroom 701
New York, NY 10004

Re: *LaMonica v. Tilton (In re TransCare Corp.)* (Adv. Proc. No. 18-01021)

Dear Judge Jones:

We represent defendant Patriarch Partners Agency Services, LLC ("PPAS") and write to seek leave to file a sur-reply, not to exceed fifteen (15) pages, five days before the hearing on the Trustee's DCL section 276-a application (ECF No. 169).

By way of background: the Trustee's first two adjournments were made without prior notice to PPAS. In advance of the third hearing date for the Trustee's motion (July 23, 2024), PPAS filed its objection. The following day, the Trustee contacted PPAS, seeking consent for a third adjournment. PPAS raised concerns that an additional adjournment would enlarge the Trustee's reply window from three days to three months. The Parties worked together in good faith to resolve this concern. PPAS agreed not to object to the adjournment on the condition that the Trustee consent to PPAS filing a sur-reply to respond to any arguments developed over the course of the Trustee's three-month reply window.

The requested sur-reply is consistent with the Parties' agreement. PPAS has coordinated with the Trustee, who endorses this request.

Respectfully submitted,

/s/ Ronit Berkovich
Ronit Berkovich

cc: Jeffrey Chubak (by email)